

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

CHANSE CAMPBELL,  
Plaintiff,  
v.

Case No. 2:21-cv-01499-RFB-EJY

JACQUELINE M. BLUTH, et al.,  
Defendants.

## **REPORT AND RECOMMENDATION**

Plaintiff, an inmate at Clark County Detention Center, filed an application to proceed *in forma pauperis* (“IFP”) together with a civil rights complaint under 42 U.S.C. § 1983. ECF Nos. 1, 1-1. However, as explained in the Court’s September 3, 2021 Order, Plaintiff’s IFP application was incomplete and failed to include a financial certificate or a six-month trust fund account, which is required to apply for *in forma pauperis* status under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2. ECF No. 3. The September 3, 2021 Order granted Plaintiff through and including November 3, 2021 to either pay the filing fee of \$402 or submit a complete IFP application. *Id.* at 2. The Court informed Plaintiff that it would recommend dismissal of this action without prejudice if Plaintiff failed to comply with the Order. *Id.*

19 Plaintiff filed a second IFP application on September 17, 2021 together with a Supplement  
20 consisting of “6 supporting documents.” ECF Nos. 4, 5. Neither Plaintiff’s second IFP application  
21 nor his supplemental documents included the required financial certificate or a six-month trust fund  
22 account statement. On September 23, 2021, the Court issued an Order denying Plaintiff’s second  
23 application because it was incomplete. ECF No. 6. The Court provided Plaintiff through November  
24 3, 2021 to file a complete application. *Id.* at 2. The Court also informed Plaintiff that it would  
25 recommend dismissal of this action without prejudice if Plaintiff failed to comply with the Order.  
26 *Id.*

As of the date of this Recommendation, Plaintiff has not filed a complete *in forma pauperis* application or paid the \$402 filing fee.

1 Therefore, and based on the foregoing history in this case, IT IS HEREBY  
2 RECOMMENDED that this matter be dismissed without prejudice for failure to comply with this  
3 Court's September 3 and 23, 2021 Order.

4 Dated this 5th day of November, 2021.

Elayna J. Youchah  
ELAYNA J. YOUCAHAB  
UNITED STATES MAGISTRATE JUDGE

## NOTICE

Pursuant to Local Rule IB 3-2, any objection to this Finding and Recommendation must be in writing and filed with the Clerk of the Court within fourteen (14) days. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file objections within the specified time and (2) failure to properly address and brief the objectionable issues waives the right to appeal the District Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).